

CIRCULAR

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Office of the Secretary to the
Government of the Federation
The Presidency
Shehu Shagari Complex
Three Arms Zone,
Abuja.
29th January, 2018

Chief of Staff to the President,
Deputy Chief of Staff to the Vice President,
Principal Secretary to the President,
All Honourable Ministers/Ministers of State,
Head of the Civil Service of the Federation,
National Security Adviser,
Economic Adviser to the President,
Special Advisers/Senior Special Assistants,
Chief of Defence Staff/Service Chiefs/Inspector-General of Police,
Governor, Central Bank of Nigeria,
Chairman, Federal Civil Service Commission,
Chairman, Police Service Commission,
Chairman, Code of Conduct Bureau,
Chairman, Code of Conduct Tribunal,
Chairman, Federal Character Commission,
Chairman, Revenue Mobilization, Allocation and Fiscal Commission,
Chairman, Federal Inland Revenue Service,
Chairman, Independent National Electoral Commission,
Chairman, National Population Commission,
Chairman, Independent Corrupt Practices and other Related
Offences Commission,
Chairman, Economic and Financial Crimes Commission,
Chairman, National Drug Law Enforcement Agency,
All Permanent Secretaries and Heads of Extra-Ministerial Departments,
Clerk of the National Assembly,
Chief Registrar, Supreme Court of Nigeria,

Accountant-General of the Federation,
Auditor-General for the Federation,
Directors-General and Chief Executives of Parastatals, Agencies and
Government-Owned Companies.

ADHERENCE TO THE CONDITIONS FOR THE ADOPTION OF RESTRICTED TENDERING

The attention of the Government has been drawn to the incessant request to Bureau of Public Procurement (BPP) by procuring entities to adopt Restricted Tendering, the procedure which is supposed to be used as an exception rather than norm.

2. While the BPP has conceded to granting Due Process "No Objection" for the adoption of Restricted Tendering for a number of procurement processes in the past as a measure to reflate the economy based on the consideration of the need to align with the Government's strategy to stem the economic recession through massive spending on capital projects. Government considered that investing in capital projects would trigger a ripple effect on the economy and impact on the populace, as infrastructure is the superstructure on which development revolves. Now that the recession is over, procuring entities are hereby reminded that the default procurement method is Open Competitive Bidding. Hence, BPP's magnanimity and decision should not be misconstrued that the use of Restricted Tendering should become a norm.

3. Accordingly, all Accounting Officers of Ministries, Departments and Agencies (MDAs) are required to ensure adequate procurement planning are carried out early in order to ensure efficient and effective delivery of procurement activities within the timeframe available in the fiscal year. Consequently, all MDAs are advised to ensure early commencement of the implementation of their procurement activities for all new projects and programmes as indicated in the Procurement Plans and Budget Proposals submitted (notwithstanding that the Budget proposal has not been approved) or the Appropriation Bill passed.

4. Now that the country's economy is officially out of recession, all procuring entities are advised to ensure adherence to the conditions

for the adoption of Restricted Tendering and Emergency Procurement as stipulated in Sections 40 to 43 of the Public Procurement Act, 2007 before forwarding their requests to the BPP for issuance of Due Process "No Objection".

5. Please ensure strict compliance with the contents of this circular.

Boss Mustapha

Secretary to the Government of the Federation